

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MARZETTI FROZEN PASTA, INC.  
Employer

and

Case 18-RC-17691

UNITED FOOD AND COMMERCIAL  
WORKERS UNION, LOCAL 431  
Petitioner

ORDER

Petitioner's Request for Review of the Regional Director's Decision and Direction of Election raises a substantial issue with respect to the inclusion of the quality assurance employees in the petitioned-for production and maintenance unit. We conclude, however, that this issue may best be resolved through the use of the Board's challenge procedure. Accordingly, the Decision is amended to permit the quality assurance employees to vote under challenge, and the Request for Review is denied in this and all other respects. Employer's Request for Review is denied.

WILMA B. LIEBMAN,      CHAIRMAN

PETER C. SCHAUMBER,    MEMBER

CRAIG BECKER,          MEMBER

Dated, Washington, D.C., April 28, 2010.